

Undergraduate Student Government
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Executive Vice President

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SENATE

2011 Checks and Balances Act

An Act to establish actual checks and balances between the Executive and Legislative Branches.

Be it enacted by the Senate of the Undergraduate Student Government,

SECTION 1. SHORT TITLE.

This Act may be cited as the “2011 Checks and Balances Act”

SECTION 2. FINDINGS.

The Senate finds that—

1. The current Checks and Balances Act fails to establish additional checks between the various branches of the Undergraduate Student Government (herein referred to as USG);
2. The current Checks and Balances Act fails to separate the powers of the branches of the USG;
3. The current Checks and Balances Act is excessively ambiguous making it impossible to enforce; and
4. Due to the time constraints of Senate Meetings, Presidential appointments cannot be properly vetted in this venue.

SECTION 3. DEFINITIONS.

1. EXECUTIVE BRANCH — The term “Executive Branch” refers to any Officer of the Executive Council, Agency, Department or Office established within the Executive Branch.
2. LEGISLATIVE BRANCH — The term “Legislative Branch” refers to the USG Senate.
3. JUDICIAL BRANCH — The term “Judicial Branch” refers to the USG Supreme Court and Judicial Council.
4. POSITION — The term “position” refers to any role within the USG that is prescribed by law and/or established in an Operations Manual that also assigns responsibilities to said role.
5. OFFICER — The term “officer” means any elected Official of the USG.

SECTION 4. PRESIDENTIAL APPOINTMENTS.

1. Following the appointment of a candidate by the President for a position within the Executive or Judicial Branches, the Senate shall establish by joint appointment of the Executive Vice President and President Pro Tempore an ad-hoc committee for the purposes of vetting and interviewing the candidate. If the committee is satisfied with the appointment, it shall recommend in writing, the confirmation of the candidate to the Senate. The appointment must be approved by a simple majority vote of the filled seats of the Senate.
2. Joint appointments between the President and a Vice President shall be considered appointments made by the President.
3. Appointments made by the President and the President Pro Tempore of the Senate for the purposes of filling vacant Senate seats shall be confirmed by a two-thirds affirmative vote of the Executive Council.

SECTION 5. SEPARATION OF POWERS.

No person may hold positions in more than one branch of government unless explicitly prescribed by law and while holding such positions may not discharge the powers and responsibilities granted to either positions or receive any form of compensation for either position. Failure to comply is an impeachable offense for elected officers or grounds for removal by the USG President or a two-thirds affirmative majority vote of the Senate.

SECTION 6. REPEAL AND ENACTMENT.

1. In cases of contradiction between this Act and law defined prior to the enactment of this Act, the former shall take precedence over the latter, yielding only to the Constitution of the USG and applicable Bylaws.
2. Persons currently in violation of this Act shall have seven days following the enactment of this Act to come into compliance or they shall be subject to the actions defined in this Act.
3. This Act shall take effect immediately following the enactment of this Act.

Alexander E. Dimitriyadi
Executive Vice President

Date

Matthew H. Graham
President

Date